

## **I. (a) PLAINTIFFS**

**Sophia Wong, Plaintiff**

**(b) County of Residence of First Listed Plaintiff San Francisco**  
**(EXCEPT IN U.S. PLAINTIFF CASES)**

**(c) Attorney's (Firm Name, Address, and Telephone Number)**

Plaintiff is now homeless due to fraud of Defendants: Mailing Address Only is: 1230 Market Street, #731, San Francisco, California 94102  
Plaintiff currently has no phone or fax number and seeks court appointment of Civil Rights Attorney pursuant to 5 U.S.C. 504 and 554 inter alia.

## DEFENDANTS

1.) Michael J. Astrue, Commissioner of Social Security; 2.) Conard House, Inc.; 3. - 50.) additional defendants too numerous to list here; et. al.

County of Residence of First Listed Defendant Washington, DC 20530  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

Attorneys (If Known)

In care of U.S. Attorney's Office, Attention Social Security Fraud Cases,  
450 Golden Gate, San Francisco, California 94102 AND Office of the  
Attorney General - Attention Social Security Disputes/Payee Fraud; U.S.  
Department of Justice, 950 Pennsylvania Ave. Washington DC 20530-0001

**IL BASIS OF JURISDICTION** (Place an "X" in One Box Only)

☐ 1 U.S. Government Plaintiff

☒ 2 U.S. Government Defendant

☐ 3 Federal Question  
(U.S. Government Not a Party)

☐ 4 Diversity  
(Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff  
(For Diversity Cases Only) and One Box for Defendant)

	PTF	DEF		PTF	DEF
Citizen of This State	<input checked="" type="checkbox"/> 1	<input checked="" type="checkbox"/> 1	Incorporated <i>or</i> Principal Place of Business In This State	<input type="checkbox"/> 4	<input checked="" type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input checked="" type="checkbox"/> 2	Incorporated <i>and</i> Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)

CONTRACT		TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	<b>PERSONAL INJURY</b> <input type="checkbox"/> 362 Personal Injury—Med. Malpractice <input type="checkbox"/> 365 Personal Injury — Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability  <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 400 State Reapportionment	
<input type="checkbox"/> 120 Marine			<input type="checkbox"/> 620 Other Food & Drug	<input type="checkbox"/> 423 Withdrawal	<input type="checkbox"/> 410 Antitrust	
<input type="checkbox"/> 130 Miller Act			<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	28 USC 157	<input type="checkbox"/> 430 Banks and Banking	
<input type="checkbox"/> 140 Negotiable Instrument			<input type="checkbox"/> 630 Liquor Laws	<b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 450 Commerce	
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment			<input type="checkbox"/> 640 R.R. & Truck		<input type="checkbox"/> 460 Deportation	
<input type="checkbox"/> 151 Medicare Act			<input type="checkbox"/> 650 Airline Regs.		<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations	
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans)			<input type="checkbox"/> 660 Occupational Safety/Health		<input type="checkbox"/> 480 Consumer Credit	
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits			<input type="checkbox"/> 690 Other		<input type="checkbox"/> 490 Cable/Sat TV	
<input type="checkbox"/> 160 Stockholders' Suits			<b>LABOR</b>	<b>SOCIAL SECURITY</b>	<input type="checkbox"/> 810 Selective Service	
<input type="checkbox"/> 190 Other Contract			<input type="checkbox"/> 710 Fair Labor Standards Act	<input type="checkbox"/> 861 HIA (1395ff)	<input type="checkbox"/> 850 Securities/Commodities/Exchange	
<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 720 Labor/Mgmt. Relations	<input type="checkbox"/> 862 Black Lung (923)	<input type="checkbox"/> 875 Customer Challenge 12 USC 3410			
<input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act	<input type="checkbox"/> 863 DIWC/DIWW (405(g))	<input type="checkbox"/> 890 Other Statutory Actions			
<b>REAL PROPERTY</b>	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Answer, w/Disabilities - Employment <input type="checkbox"/> 446 Answer, w/Disabilities - Other <input type="checkbox"/> 449 Other Civil Rights	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence <b>Habeas Corpus:</b> <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 740 Railway Labor Act	<input type="checkbox"/> 864 SSID Title XVI	<input type="checkbox"/> 891 Agricultural Acts	
			<input type="checkbox"/> 790 Other Labor Litigation	<input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 892 Economic Stabilization Act	
			<input type="checkbox"/> 791 Empl. Ret. Inc. Security Act		<input type="checkbox"/> 893 Environmental Matters	
			<b>IMMIGRATION</b>	<b>FEDERAL TAX SUITS</b>	<input type="checkbox"/> 894 Energy Allocation Act	
			<input type="checkbox"/> 462 Naturalization Application	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)	<input type="checkbox"/> 895 Freedom of Information Act	
			<input type="checkbox"/> 463 Habeas Corpus – Alien Detainee	<input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice	
			<input type="checkbox"/> 465 Other Immigration Actions		<input type="checkbox"/> 950 Constitutionality of State Statutes	

**V. ORIGIN** (Place an "X" in One Box Only)

☐ 1 Original Proceeding    ☐ 2 Removed from State Court    ☐ 3 Remanded from Appellate Court    ☐ 4 Reinstated or Reopened    ☐ 5 another district (specify)    ☐ 6 Multidistrict Litigation    ☐ 7 Judge from Magistrate Judgment

## VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):  
42 USC sections 1983, 1985, 1986, and 902(a)5; 1383(a)2; and 1383(d)(1); 5 USC 505/554; 20CFR 416.601-416.665 inter alia

**Brief description of cause:**

SSA "Payee" defrauded Plaintiff by not paying her rent for 16 months resulting in her imminent eviction - request for stay

**VII. REQUESTED IN COMPLAINT:**

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23      DEMAND \$ 7,000 to 10 million+      CHECK YES only if demanded in complaint:  
JURY DEMAND: ☒ Yes ☐ No

**VIII. RELATED CASE(S)  
IF ANY**

PLEASE REFER TO CIVIL L.R. 3-12 CONCERNING REQUIREMENT TO FILE  
"NOTICE OF RELATED CASE". NONE

IX. DIVISIONAL ASSIGNMENT (CIVIL L.R. 3-2)  
(PLACE AND "X" IN ONE BOX ONLY)☒ SAN FRANCISCO/OAKLAND ☐ SAN JOSE

DATE \_\_\_\_\_

SIGNATURE OF ATTORNEY OF RECORD

Wed/May7/2008

ORIGINAL

Sophia Wong, Plaintiff; Is Now Homeless: MAILING ADDRESS ONLY is:  
1230 Market Street, #731, San Francisco, California 94102

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Sophia Wong, Plaintiff,  
Vs.

*(Notation: Defendants #3 thru #30 inclusive are all sued in both their private individual capacities and in their official public capacities and additionally they are all sued as duly authorized agents of Defendant Number 1.) Michael J. Astrue.)*

1.) Michael J. Astrue, Commissioner, of Social Security Administration, (hereinafter "SSA")

In care of: The United States Attorney's offices, Social Security Fraud Division, 450 Golden Gate, San Francisco, California 94102; AND Office of the Attorney General – Attention Social Security Disputes /Payee Fraud Division, U.S. Department of Justice, 950 Pennsylvania Avenue, NW, Washington, District of Columbia 20530-0001;

2.) Conard House, Inc., SSA affiliate member of representative payment program, main offices: 1385 Mission Street, Suite 200, San Francisco, California 94103; known named Defendants listed below:

3.) Richard Heasley, address above in #2;

4.) Mark L. Bennett, address above in #2;

5.) Seth Katzmann, address above in #2;

6.) Carol Kassler, address above in #2;

7.) Carol Vullmahn, address above in #2;

8.) Supervisor of Conard House, Inc., at branch office location at 160 Ninth Street Offices, San Francisco, California 94103, a male whose name is unknown;

9.) Robert, a male Employee at 160 Ninth Street Office;

10.-30.) Does, named, unknown persons employed at various Conard House, Inc. locations;

31.) Mirian Saez, Interim Director, San Francisco Housing Authority, (hereinafter PHA – abbreviation for Public Housing Authority) 440 Turk Street, San Francisco, California 94102;

32.) Director, The South of Market Mental Health Clinic 760 Harrison Street, San Francisco, California 94107;

33.) Director, The Adult Protective Services of the City and County of San Francisco, 875 Stevenson St, 3<sup>rd</sup> Floor, San Francisco, California 94102;

34.-50.) DOE(S) defendants, named, unknown persons, of as yet, unknown connection to this case.

Defendants, Et. Al. All rights reserved to add additional Plaintiffs and additional Defendants!!

Case No.:

08 2432  
**COMPLAINT**

FOR A CAUSE OF ACTION BY THIS COURT **BZ**  
AND

**APPLICATION FOR TEMPORARY  
RESTRAINING ORDER,**

AND

**MOTION FOR A HEARING  
ON PRELIMINARY  
INJUNCTION**

**JURISDICTION PURSUANT  
TO: 42 U.S.C. § 1983 *INTER ALIA!***

**THE SOCIAL SECURITY ACT: 42 U.S.C. § 902(a)5; AND 42 U.S.C. § 1383 (a)2; AND 42 U.S.C. § 1383 (d)(1), *inter alia*; AND 20 CFR PART 416 SSI, SUBPART F – Representative Payment §§ 416.601 TO 416.665 inclusive, especially enforce §416.641; §416.665; and §416.650, *inter alia*; AND THE EQUAL ACCESS TO JUSTICE ACT: 5 U.S.C. § 504; AND 5 U.S.C. § 554, *inter alia*; AND FOR THE CIVIL RIGHTS INFRINGEMENTS AND ABUSES PORTIONS OF THIS CASE: 42 U.S.C § 1983; AND 42 U.S.C. § 1985; AND 42 U.S.C. § 1986, *inter alia*.**

**Venue:**

**Plaintiff seeks SUA SPONTE protection from this Court on an absolute emergency 24-hour basis:**

All crimes committed against Plaintiff occurred in San Francisco, California by mostly State actors, and public and private corporation actors, but also possibly some Federal Government actors; only a SUA SPONTE Federal Court investigation can determine the actual events, State court protection is unviable.

**JURISDICTION: 42 U.S.C. § 1983 § 1985 § 1986; and 20 CFR PART 416 SSI: SUBPART F – Representative Payment, §§ 416.601 TO 416.665 inclusive, especially §416.641; §416.665, and §416.650; and 42U.S.C. § 902(a)5; and 42 U.S.C. §1383(a)2; and 42U.S.C. §1383(d)(1), *inter alia*.**

**Extremely TRUNCATED COMPLAINT:**

This Complaint for a Cause of Action, application for TRO, and Motion for Hearing on Preliminary Injunction is EXTREMELY incomplete, and woefully inadequate, and deliberately TRUNCATED, in fact formal application for TRO and Motion for Preliminary INJUNCTIONS are not even included herein. But the sad fact is the time it would take to properly complete those items would be lost time that the Court could quickly repair the injustice and Civil Rights abuse, restore the Plaintiff and render this Complaint MOOT! If anymore time is lost in typing this just to obtain more proper form before this Court then the Court itself will have more work because the wasted time could move this case beyond the point where a quick and urgent repair from this Court is PROBABLE, to as the time ticks away, IMPROBABLE and as the clock ticks, tilt into the IMPOSSIBLE; thereby making the Complaint more and more VIABLE, {Plaintiff seeks therefore, restoration, and not necessarily the kind of large monetary damages this fully complete Complaint would ordinarily seek, thus Plaintiff believes the swifter this is presented the more likely the Court will have time to correct the egregious Civil Rights Abuses complained of} THEREFORE, it is hoped that this Court will act SUA SPONTE, conducting it's own investigation, and then realize of it's own SUA SPONTE mind that it MUST protect and preserve and RESTORE this innocent Plaintiff in accordance with the attached "Exparte Motion for Immediate SUA SPONTE action from this Court." and "Exparte Motion to Appoint a Civil Rights Attorney" to protect and preserve this innocent Plaintiff. The point is RIGHT NOW this Complaint is not about monetary damages, although Plaintiff must also be minimally compensated as the Court sees as just and proper for the extraordinary costs and expenses caused by Defendants, but that is only a few thousand dollars; thus this case as it currently sits is not truly about monetary compensation, it is about stopping the rank injustice, and extreme Civil Rights Abuses being inflicted upon Plaintiff, so the Court MUST act quickly and time even typing a better Complaint is wasted! ONLY if this swift action fails, or only if the Court will not act AND INVESTIGATE, or if the Court somehow cannot restore Plaintiff, will a more formal complaint be completed and submitted;



**Prima Facie COMPLAINT:**

**I.**

The innocent Plaintiff is a recipient of Supplemental Security [SSI] Social Security Disability Payments.

**II.**

The innocent Plaintiff is a severely mentally disabled person, who must have her necessary payments paid through the Social Security REPRESENTATIVE PAYMENT system; {See: 20 CFR Part 416 SubPart F – Representative Payment §§ 416.601 through 416.665 inclusive} meaning that the Plaintiff is incapable of properly conducting her financial affairs and thus a “PAYEE” is established for her with the legal, moral, ethical, and **LEGISLATIVE DUTY to “ALWAYS ACT IN THE BEST INTERESTS OF THE DISABLED PERSON”**

**III.**

**The “Payee” for innocent Plaintiff HAS NOT PAID HER RENT FOR FIFTEEN CONSECUTIVE MONTHS IN THE PAST AND NOW THE CURRENT 16<sup>TH</sup> MONTH! – THIS IS CRIMINAL MALFEASANCE AND FRAUD, which MUST be enjoined by this Court immediately!**

**IV.**

The “Payee” for Innocent Plaintiff is listed above as “Defendants Numbered 2 through 30 inclusive” Conard House, Inc., named, Defendants include, but are not limited to: Mr. Richard Heasley; Mr. Mark L. Bennett; Mr. Seth Katzmann; Ms. Carol Kassler; Ms. Carol Vullmahn; and “Robert”: Plaintiff’s direct contact person. Other names are unknown. The Court must investigate ALL Defendants SUA SPONTE.

**V.**

Defendants have intentionally, willfully, with malice, defrauded Plaintiff out of her lifelong home, the only home she has ever known! By clearly refusing to pay her rent for 15 consecutive months in the past and now a 16<sup>th</sup> month. The UNLAWFUL refusal of the Defendants to pay the RENT for Plaintiff has resulted in the Plaintiff being evicted and suffering homelessness for the first time in her lifetime. Thus Plaintiff is

1 being irreparably harmed by the fraud of the Defendants and the Defendants must be enjoined from further  
 2 harming Plaintiff. This irreparable harm JUSTIFIES the TRO applied for, but no time to formally write!

### 3 VI.

4 42 U.S.C. § 1983 provides:

5 Every person who, under color of any statute,  
 6 ordinance, regulation, custom, or usage, of any  
 7 State or Territory or the District of Columbia,  
 8 subjects, or causes to be subjected, any citizen  
 9 of the United States or other person within the  
 10 jurisdiction thereof to the deprivation of any  
 11 rights, privileges, or immunities secured by the  
 12 Constitution and laws, shall be liable to the party  
 13 injured in an action at law, suit in equity, or other  
 14 proper proceeding for redress.

15 Above all this Court MUST conduct it's own investigation SUE SPONTE! But for goodness sake, the  
 16 Court MUST REALIZE the pathetic low-class caliber of the Defendants and the pathetic scum and  
 17 completely amoral reprobates with which the Court is about to deal, IF YOU THINK THESE WORDS  
 18 HARSH RECONSIDER THE FACT THAT DEFENDANTS ABUSE A SEVERELY MENTALLY  
 19 DISABLED PERSON WHO CANNOT DEFEND HERSELF!! The Court must realize that if ANYONE  
 20 would abuse and harm and take advantage of ANY SEVERELY MENTALLY DISABLED PERSON to  
 21 the point where that person LOSES THEIR LIFETIME HOME, and then DENIES such abuse JUST TO  
 22 PROTECT AND PRESERVE THEIR OWN BUREAUCRATIC PHONY JOBS, then that person is  
 23 literally capable of anything! And that "anything" would easily include the destruction of documents,  
 24 which would prove the Plaintiff's case! **THE DEFENDANTS ARE IN SOLE POSSESSION OF ALL**  
 25 **THE DOCUMENTS, WHICH WOULD PROVE THE PLAINTIFF'S CASE!!** THEREFORE, the  
 26 Court MUST NOT ALLOW ANY POTENTIAL EVIDENCE TO BE DESTROYED, therefore the Court

1 MUST SUA SPONTE also serve simultaneously ORDERS onto the Defendants to immediately surrender  
2 all documents files, paperwork and evidence of Plaintiff's activities **TO THE EXACT SAME U.S.**

3 **MARSHALS serving the Civil Summons AT THE EXACT SAME TIME THE SUMMONS AND**  
4 **ORDERS TO CONFISCATE CASEFILES IS SERVED!!**– Plaintiff would argue that the Court must  
5 seize ALL files, because who knows what other disabled persons are being malfeasantly abused by the  
6 Defendants, but CERTAINLY, CLEARLY the Court must immediately seize all records dealing with the  
7 innocent Plaintiff! Now OBVIOUSLY the Defendants, particularly the Conard House Payee Defendants,  
8 particularly if the Court CONFISCATES ALL of their casefiles, are going to SCREAM to this Court:  
9

10 “OH! This is all just an accidental oversight on our part, not even rising to the level of a mistake! You have  
11 taken extremely unjust action against us Court, because afterall, we have to deal with the mentally disabled  
12 everyday, and that is very stressful, we just somehow accidentally maybe mistakenly missed this non  
13 payment of rent problem with JUST THIS ONE person!” **BUT PLAINTIFF CAN EASILY PROVE**  
14 **AND THUS ASSERTS THAT THE DEFENDANTS HAVE KNOWN OF THEIR ERRORS OF NOT**  
15 **PAYING THE PLAINTIFFS RENT {back then it was 14 CONSECUTIVE MONTHS,} FOR LONG**  
16 **ENOUGH AGO INTO THE PAST AND CERTAINLY LONG ENOUGH TIME AGO TO EASILY**  
17 **CURE THEIR ERRORS AND EASILY PRESERVE THE PLAINTIFF'S HOME AND EASILY**  
18 **PRECLUDE EVEN THE FILING OF THIS COURT ACTION! HOWEVER, EVEN KNOWING THAT**  
19 **THE PAYEE DEFENDANTS HAD NOT PAID THE RENT FOR THEN 14 CONSECUTIVE MONTHS,**  
20 **THE PAYEE DEFENDANTS CHOSE WILLFULLY, DELIBERATELY WITH MALICE, TO ABUSE**  
21 **INNOCENT PLAINTIFF AND DENY ANY WRONGDOING INORDER TO COVER UP THEIR**  
22 **ERRORS – BECAUSE AFTERALL PLAINTIFF IS JUST A MENTALLY DISABLED PERSON WHAT**  
23 **CAN SHE DO, AND IT DOES NOT MATTER THAT SHE BECOMES HOMELESS AS LONG AS WE**  
24 **PROTECT OUR REPUTATION AND KEEP THIS COVERED UP AND NOT ADMIT OUR MISTAKE.**  
25 **WELL, PLAINTIFF WOULD ARGUE THAT THIS INTENTIONAL REFUSAL TO PAY AND**  
26  
27  
28

1 **SUBSEQUENT COVER-UP RISES TO THE LEVEL OF FRAUD**, AND IF THE PAYEE  
 2 DEFENDANTS WILL WILLFULLY COMMIT FRAUD ON A MENTALLY DISABLED PERSON  
 3 AND THEN COVER IT UP, AND THEN IF THEY COMPLAIN THIS IS JUST A MISTAKE  
 4 INVOLVING ONLY ONE PERSON, THEN THE PLAINTIFF ASKS THIS COURT HOW DO WE  
 5 KNOW THAT? AND HOW DO WE REASONABLY KNOW THAT FOR SURE? !

## 7 **VII.**

8 BRIEF DISCUSSION OF ANCILLARY DEFENDANTS: The actions of Defendants listed as #34. to #50  
 9 is unknown and reserved to be named if this Complaint needs to be amended; The actions of Defendants  
 10 listed as #33, The Adult Protective Services, and listed as #32, The South of Market Mental Health Clinic  
 11 are ABDOMINAL, they have clearly contributed to the Plaintiff's loss of her home through their slow  
 12 action for #33 and their absolute inaction for #32, however, while their abysmal lack of efforts needs to be  
 13 addressed, and perhaps this Complaint or Sua Sponte action of the Court is the proper method of correction  
 14 of their policies, Plaintiff believes that it is necessary to deeply involve these two agencies only if this case  
 15 moves into the formal Amended Complaint process mentioned above. The Plaintiff does not believe that  
 16 either Defendant #32 or #33 willfully conspired to evict Plaintiff from her home or defraud her from her  
 17 home through the non-payment of her rent, however these two defendants DID commit serious actions of  
 18 failure to protect Plaintiff. That issue does need to be addressed, but likely the Court could address those  
 19 issues later in this case there is no urgency of addressing the harms these Defendants #32 and #33 commit.  
 20 FINALLY AN EXTREMELY TRUNCATED VERSION OF THE INVOLVEMENT OF DEFENDANTS  
 21 NUMBERED 1 THROUGH 31 IS CONTAINED BELOW IN THE PLAINTIFF'S "Two Exparte Motions  
 22 Before This Court: First Exparte Motion For Immediate Sua Sponte Action From This Court, and Second  
 23 Exparte Motion for Court to APPOINT a Civil Rights Attorney to protect Plaintiff."

## 28 **VIII.**

There is obviously much more the Plaintiff could complain of, but in the interest of Judicial Economy  
 sufficiency has been reached. Enough has been presented herein to allow the Court to ACT SUE SPONTE

1 AND CONDUCT IT'S OWN INVESTIGATION and RESTORE PLAINTIFF TO HER LIFELONG  
2 HOME OR A LARGER BETTER PLACE

### 3 IX.

4  
5 Now this complaint is incomplete, other than reimbursement for the extraordinary expenses Plaintiff has  
6 incurred and a small stipend for her harms, Plaintiff does not truly seek Monetary Damages from the  
7 Defendants – assuming the Court restores Plaintiff to her lifelong home, or a better location and larger  
8 apartment through negotiations with the Defendants and it does not cost Plaintiff any more money ever.

9  
10 HOWEVER, IF THE COURT IS UNABLE OR UNWILLING TO RESTORE PLAINTIFF TO WHERE  
11 SHE WAS AND EXPUNGE COMPLETELY THE UNLAWFUL DETAINER ACTIONS FROM HER  
12 LIFE, THEN the innocent Plaintiffs will be forced to ADD to and AMEND the COMPLAINT; add an  
13 additional Plainiff who has also been severely harmed by Defendants, and perhaps add OTHER Plaintiffs  
14 and demand A JURY TRIAL AND DEMAND OVER \$10,000,000 for INTENTIONAL INFLICTION OF  
15 PHYSICAL AND MENTAL AND EMOTIONAL DISTRESS and demand even more in MONETARY  
16 DAMAGES, real and consequential, AND COMPENSATORY, EXEMPLARY, AND PUNITIVE  
17 DAMAGES; AND ALL OF THAT IS COMPLETELY UNNECESSARY AND A TIME CONSUMING  
18 EFFORT FOR THE COURT AND EVERYONE ELSE INVOLVED, WHEN ALL THAT THE  
19 PLAINTIFFS SEEK AS NECESSARY IS THE EMERGENCY SUA SPONTE COURT ACTION TO  
20 RESTORE THE PLAINTIFF TO HER HOME AND PUNISH THE CRIMINAL MALFEASANCES OF  
21 THE DEFENDANTS, and pay her reasonable expenses as the Court rules just and reasonable!

### 24 X.

25 **Finally, Plaintiff reiterates for emphasis that Defendants Control paperwork proving Plaintiff's case**  
26 **and Defendant's #2 thru #30 can easily destroy or change evidence, thus the Court must Sua Sponte**  
27 **confiscate Plaintiffs casefiles from BOTH Defendants locations simultaneously as detailed below in**  
28 **Plaintiff's Prima Facie facts showing absolute urgency for the Court to move SUA SPONTE:**



**Prima Facie facts showing absolute urgency for the Court to move SUA SPONTE:**

- 1.) Plaintiff Sophia Wong is a severely mentally disabled individual who is a member of a specially protected class who must be preserved by this Court.
- 2.) Plaintiff is currently receiving Social Security disability payments – this is not a dispute of Social Security disability status.
- 3.) Plaintiff has lived her entire lifetime, 38 years, at the same, 1560 square-foot apartment owned by the San Francisco Housing Authority (hereinafter abbreviated as either SFHA or PHA – the standard abbreviation for Public Housing Authority).
- 4.–5.) Plaintiff pays \$247 per month rent and lives alone.
- 6.) Plaintiff is currently being wrongfully evicted from her lifetime home for non-payment of rent for now 15 consecutive months!
- 7.) Plaintiff is not mentally cognizant of this fact of eviction, or the facts and ramifications thereof. Plaintiff just thinks “they are forcing her to move.”
- 8.) Plaintiff has a Social Security Representative Payment “PAYEE” who has fraudulently with intentional malice refused to pay the \$247.00 monthly rent to the SFHA for now 15 consecutive months. {Technically making defendant SFHA also a victim in this matter.}**
- 9.) “Payee Defendants” are numbered 2 through 30 Conard House Inc., and it’s numerous employees of same, all sued in both their individual and official capacities. Payee Defendants are all acting **UNDER COLOR OF LAW** as duly authorized representative of, and agent for, Defendant number 1 the Social Security Administration, which has always woefully failed in properly administering the Representative Payment System of which this case is just a most recent glaring example.
- 10.) Payee Defendants and other Defendants have criminally defrauded Plaintiff and caused her imminent eviction from her lifelong home. Payee Defendants have criminally conspired with other Defendants jointly and severally through absolute negligence and malfeasance in public office to willfully not correct, fail to correct, and refuse to correct, and thereby willfully, deliberately, with malice, ignore the indisputable prima

facie facts of their own negligent behavior of failing to pay the rent; and thus that behavior now rises to the level of *fraud*! In that even though Defendants are fully aware they are required to pay the rent, fully aware the rent is required to be paid to the SFHA, and fully aware that their fraudulent actions against Plaintiff of not paying the rent has resulted in the imminent eviction of innocent Plaintiff Sophia Wong, none of them have acted on behalf of, or for Plaintiff Sophia Wong! And ALL Payee Defendants have STILL refused to pay the rent! Defendants' refusal to pay the rent is now resulting in the eviction of Plaintiff Wong! And Defendants force Plaintiff to suffer the automatic, legislated PHA penalty of a 5-year wait period before being allowed to reapply for new housing, and given the 5-year waitlist in SFHA, Plaintiff now suffers at least 10 years or more of homelessness, Plaintiff must be protected from Defendants/and Defendants MUST be referred to United States Attorney for criminal prosecution – but only after the housing for Plaintiff is secured again. The fundamental principle is that the Payee must always act in the best interest of the disabled person for whom they are paying; ALL Defendants have destroyed that requirement under law!

**IMMEDIATE RELIEF SOUGHT:**

- 1.) Stay eviction action and overturn judgment in CUD-08-625494 in California Superior Court, and
- 2.) Stay sheriff's eviction, and
- 3.) Stay the granted possession; and stay the San Francisco Housing Authority from regaining possession of Plaintiff's lifelong apartment; and prohibit imposition of the 5-year wait period.
- 4.) Stay the Defendants from destroying the life of innocent Plaintiff Sophia Wong, by restoring her to the only lifetime home she has ever known; even if the Court finds that it is too late to stop the actions against the innocent Plaintiff. And/or transferring Plaintiff to another equal in size and better home in a safer building in the interest of Justice, even if the Court believes that is extraordinary relief beyond it's powers **because Defendants must be enjoined from destroying the life of the innocent Plaintiff!**
- 5.) **Plaintiff must have her Payee changed by this Court Order later on the same day this Court obtains her records, because Defendants can abuse her money, and her through her need for same**  
 This Court must act immediately to protect the Plaintiff from life-threatening injury and the most extreme possible harms to her mental and physical well-being. Plaintiff is a severely mentally ill 38-year-old woman who has lived her entire lifetime in the same home, who has never been homeless in her entire lifetime, who cannot function on the brutal streets of San Francisco as a homeless person,

1 who is absolutely endangered of life and limb at this very moment of your reading this, who is being  
2 irreparably harmed because the Innocent Plaintiff – through absolutely no fault of her own whatsoever –  
3 is now homeless – with no safe place to live – and has now contracted BedBugs and BedBug Bites!  
4 Plaintiff's address listed on these Court papers is only a mailing address, as she does not live anywhere  
5 anymore, and only this Court can ease those irreparable harms, because she cannot protect herself,  
6 therefore the Court must act Sua Sponte and protect the innocent Plaintiff! Plaintiff is currently  
7 receiving Supplemental Security Income {SSI} Social Security Disability benefits in the form of  
8 representative payment (Payee) status payments (see: 20 CFR 416.601 to 416.665 inclusive). In other  
9 words, Plaintiff is mentally incapable of properly spending her money to pay rent and utilities and  
10 therefore is receiving those payments through Defendants Conard House, Inc., et. al. Plaintiff is being  
11 criminally defrauded by the Defendants and cannot defend herself thus, this Court MUST act  
12 immediately, Sua Sponte to protect her. Plaintiff has suffered a dramatic double devastation of first  
13 losing her lifetime home and second losing her entire SSI payments check! Because Payee Defendants  
14 apparently divided Plaintiff's checks into four equal proportions and paid the proportions out weekly,  
15 instead of paying the only \$247 rent! Now 77% of Plaintiff's SSI check is suddenly being used to buy  
16 her a hotel room! Thus Plaintiff has suffered a dramatic and corresponding loss of her own money down  
17 to unlivable status and forcing her to beg and plead to obtain money from her friend who has little to  
18 spare. Formerly, Plaintiff lived on 70% and paid 30% rent; now her rent is 77% of her monthly check!

19 **The Defendants control all the paperwork, which proves the Plaintiff's case therefore, the**  
20 **Court, must order all paperwork immediately confiscated from all Defendants and delivered unto itself**  
21 **at a special protected location within 450 Golden Gate! In acting SUA SPONTE this Court, even before**  
22 **alerting the California Superior Court of this stay, must send out immediate Summons – particularly**  
23 **onto Payee Defendants #2– #30 inclusive and ORDER and demand all paperwork regarding Sophia**  
24 **Wong be surrendered at the exact same time of delivery of summons to the United States Marshals**



1 **delivering the summons**, similar to if the Court served a search warrant! In other words, Defendants  
2 may have already destroyed critical paperwork evidence of their frauds! So notification to the Payee  
3 Defendants of this case and cause of action by delivery of merely a summons from the Court would  
4 **guarantee destruction of critical evidence proving Plaintiff's case!** Certainly, clearly if Defendants  
5 are capable of being fraudulent enough to not pay the rent for 15 consecutive months and think they  
6 could get away with it, they are quite easily capable of being fraudulent enough to destroy critical  
7 evidence or alter critical evidence, when they are tipped off that they are being sued in Federal Court!  
8

9 Therefore, this Court MUST order several United States Marshals to simultaneously confiscate  
10 at two separate locations, all files of Conard House, Inc. or at minimum all files regarding Plaintiff  
11 Sophia Wong! To enter either Payee Defendant's locked location one must press the electronic buzzers  
12 on the exterior walls to enter at both Payee Defendants addresses: the central offices at 1385 Mission  
13 Suite 200, Second Floor and at the branch office of 160 Ninth Street, and the Court must Order the  
14 United States Marshals to confiscate ALL FILES, or at the very least all files regarding Plaintiff Sophia  
15 Wong, at both locations, all at the exact same time, with absolutely no advance notice whatsoever!  
16 Additionally the Court must bring the Defendants to itself, SUA SPONTE and investigate them, as  
17 Plaintiff is wholly incapable of conducting this investigation.  
18  
19

20 The Defendant #31: Public Housing Authority of the City and County of San Francisco is  
21 actually a victim in this case as well as Plaintiff Wong. Because they have a legitimate claim to the  
22 required rental payments of Plaintiff; therefore they too have been victimized by the wrongful acts of  
23 the other Defendants, however, because the Housing Authority of the City and County of San Francisco  
24 is the Plaintiff in the Unlawful Detainer action of CUD-08-625494 against Sophia Wong, and because  
25 the Court must now intervene and stop the wrongful eviction of Sophia Wong and stay the eviction and  
26 possession in that matter, the SFHA is named as Defendant herein, it is unknown the extent of SFHA  
27 involvement in this conspiracy to defraud Plaintiff in this matter thus the Court must order all  
28



1 paperwork in possession of SFHA Defendants unto itself. Likewise, the Defendant #1 Social Security  
2 Administration (SSA) has woefully failed in it's oversight responsibilities to Plaintiff Wong. It is very  
3 slightly possible that the SSA is also a victim of the other Defendants in this case because most likely  
4 the SSA Defendants are not directly involved in the conspiracy to defraud Plaintiff; however the SSA  
5 Defendants agents and authorized representative payees are the ones who are deeply involved in the  
6 conspiracy to criminally defraud Plaintiff, so this level of Fraud may only be possible with the  
7 knowledge and cooperation of the SSA. And moreover, additionally the SSA Defendants are supplying  
8 the disability monies, but have failed to provide proper oversight over those monies that have been  
9 fraudulently misappropriated by the other Defendants; and Plaintiff must also have this Court force the  
10 SSA Defendants to act under 20 CFR § 416.641 and § 416.665 and §416.650. Thus this Court must  
11 order all paperwork from the SSA Defendants unto itself. Furthermore, this Court must issue Orders  
12 and require Defendants {particularly SSA Defendants #1 and PHA Defendants #31} to all act in such a  
13 way as to establish the case law requirements, that from now on nationwide, everytime a disabled  
14 recipient of Social Security benefits is also housed in a PHA property the two agencies must work  
15 together to prevent the eviction of every disabled recipient of Social Security benefits by if necessary  
16 establishing a direct deposit link between a small portion of the disability payments and the PHA. For  
17 example: say 25%; typically the amount of rent paid in a PHA is 30% of income, thus if the required  
18 direct deposit from the SSA paid directly to the PHA were say 25% the PHA would be receiving  
19 enough monies to prohibit the eviction of the disabled person, but the SSA and PHA would thus also  
20 have a monitor on the disabled person who would still have to pay 5% personal payment, or payment  
21 through a representative payee. Thus if that personal payment became in arrears by 10 or 15 months, as  
22 in this case, it would indicate that something was amiss: the person died, moved without informing the  
23 agencies, or perhaps was in grave trouble, their payee was not paying, or they were worse off mentally  
24 or physically and lost on the streets, or in need of hospitalization, or perhaps even the need of increasing

1 the direct deposit portion to cover the entire rent – as in this case! In other words the system this Court  
 2 must cause to be set up would alert these agencies when something was wrong and still protect the  
 3 disabled from a wrongful eviction because of non-payment of rent.

4  
 5 **SECOND Exparte Motion:** additionally, Plaintiff hereby MOVES this Honorable Court to immediately  
 6 select and APPOINT a well-respected local Civil Rights Attorney to the Plaintiff's case, protection and  
 7 advocacy, pursuant to the Equal Access to Justice Act 5 U.S.C. Sections 504 and 554 *inter alia*, to  
 8 facilitate this case for both the Court and the Plaintiff. Plaintiff cannot defend herself and therefore  
 9 must have the Court APPOINT an as yet unnamed Civil Rights Attorney. Plaintiff has not discussed  
 10 this matter with any Civil Rights Attorney because she cannot pay one, however if the Court will at  
 11 least approve this Motion to Appoint a Civil Rights Attorney under the Equal Access to Justice Act, the  
 12 odds of Plaintiff being able to find a Civil Rights Attorney willing to serve knowing in advance that he  
 13 or she will be paid pursuant to the Equal Access to Justice Act should make the process of finding said  
 14 Attorney much more likely, thus **such an action would benefit the Court as well as the Plaintiff.**

15  
 16  
 17 ~~Plaintiff has paid the Court costs today for filing this action only because of the emergency~~  
 18 ~~nature of needing the Court to act today! Plaintiff is indigent and qualifies for the *In Forma Pauperis*~~  
 19 ~~status waiver of filing fees however, the absolute urgency of need for emergency SUA SPONTE action~~  
 20 ~~within 24 hours from this Court requires the Plaintiff to simply pay the fees in this case and move~~  
 21 ~~instantly to Court action, as there is absolutely no time whatsoever for the Court to consider and order~~  
 22 ~~IIF status. Later, after the Court has protected Plaintiff, she will file the paperwork for IIF status and~~  
 23 ~~request that the Court issue the extremely rare order to refund the filing fees to the Plaintiff.~~ Plaintiff  
 24 also asserts that this case must be moved upon immediately, if the Court delays by even a day the  
 25 possibility of restoring Plaintiff into her lifetime home might be forever lost. If the Court is somehow  
 26 unable to restore the Plaintiff back into her lifetime home, or at the very least exchange her lifelong  
 27 home for an equal size or superior apartment in a better building in a better location, at no added cost to  
 28

1 the Plaintiff, and at 100% cost to the Defendants so that all Plaintiff must do is unlock the new  
2 apartment door and be made whole, then the Court must Sua Sponte convert this motion INTO A  
3 COMPLAINT FOR A CAUSE OF ACTION, requiring the Defendants, particularly the Payee  
4 Defendants to pay for a new equivalent 1560 square foot high-rise apartment with Bay Bridge View,  
5 and pay all utilities, and pay all property taxes, fees and all other costs associated with buying such  
6 apartment for Plaintiff; and fully furnish same in a manner equal to or greater than her current  
7 furnishings; and compensate Plaintiff for the cost of housing in the interim, and pay for the intentional  
8 infliction of mental, physical, and emotional distress, and compensatory, exemplary, and punitive  
9 damages onto Plaintiff Wong and additional Plaintiffs, yet to be filed. The estimated cost of such a  
10 large 1560 square foot apartment is approximately \$1,700,000 to \$2,400,000 plus lifetime – at least 57  
11 years of – prepayment of taxes, utilities, and etcetera, thus Plaintiff estimates the total damages in the  
12 amount of \$7,000,000 and requires most of those monies in a trust fund with trust fund investment  
13 manager and guardian fees, and approximately 25% of the amount of Plaintiff Wong's total damages  
14 also additionally awarded for the other Plaintiffs, raising the grand total to around \$10,000,000.00.  
15 Therefore it is hoped that the Court will save all those monetary damages by acting immediately and  
16 reinstate Plaintiff Wong into her apartment at 895 Pacific, Number 337 or under Court order require the  
17 equivalent size apartment in a better building be made available immediately at no additional costs and  
18 cause the Defendants to house Plaintiff in a first class hotel – that is free of BedBugs – in the interim  
19 and pay for decontaminating all her possessions from BedBugs, and pay all costs associated with this  
20 action. If necessary a **Jury Trial is demanded, but it is hoped this case will never reach the**  
21 **Complaint stage and much less will never reach that trial point! Because that would mean the**  
22 **Court failed to protect Plaintiff today!**

23 Respectfully submitted: Signed, Sworn, and Dated in San Francisco, California on this Wednesday, the 7<sup>th</sup>  
24 day of May, 2008 BY: Sophia Wong Sophia Wong, Plaintiff